



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

Procurement
Instruction
Memorandum
No. 00-02
Apr. 19, 2000

MEMORANDUM FOR THE BUREAU CHIEF PROCUREMENT OFFICERS

FROM:

Corey M. Rindner, Director
Office of Procurement

SUBJECT: DTAR Change 98-11, Changes to Contract Reporting and Contractor
Evaluation Requirements

Purpose: To update Parts 1004, 1036, 1042, and Appendix A

Effective Date: Immediately

Expiration Date: This PIM will expire when cancelled or superseded.

Background: This PIM is issued to update references and procedures for the Treasury Acquisition Data System (TADS) for procurement reporting, the Contractor Performance System (CPS) for evaluating contractor performance, and to clarify the numbering of solicitations, contracts, and orders.

Action:

Remove DTAR pages:

Insert DTAR pages:

4-1 through 4-4

4-1 through 4-4

36-1 through 36-2

36-1 through 36-2

42-1

42-1

Appendix A

Appendix A

Questions may be directed to Lou Masciocchi at (202) 622-6585.

Attachment

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4 PART 1004 -

ADMINISTRATIVE MATTERS

Subpart 1004.1 -- Contract Execution

- 1004.101 Contracting officer's signature.
- 1004.103 Contract clause.

Subpart 1004.4 -- Safeguarding Classified Information within Industry

- 1004.402 General.
- 1004.403 Responsibilities of contracting officers.
- 1004.470 Investigative Requirements for Contractors.
 - 1004.470.1 General.
 - 1004.470.2 Responsibilities of contracting officers.

Subpart 1004.6 -- Contract Reporting

- 1004.602 Federal Procurement Data System.
- 1004.670 TADS and other reports.
- 1004.671 Procurement Register Form TD F 76-01.7.

Subpart 1004.8 -- Government Contract Files

- 1004.805 Storage, handling, and disposal of contract files.

Subpart 1004.70 -- Numbering of Solicitations, Contracts, and Orders

- 1004.7000 Prefixes.
- 1004.7001 Numbering.

Subpart 1004.71 -- Legal Review

- 1004.7100 Threshold.
- 1004.7101 Timeframes for review.
- 1004.7102 Threshold exceptions.
- 1004.7103 Documentation.
- 1004.7104 Legal review comments.

Subpart 1004.72 -- Staff Review

- 1004.7200 General.
- 1004.7201 Departmental review.
- 1004.7202 Departmental review comments and approval.

Subpart 1004.73 -- Evaluation and Certification of Treasury Procurement System

Subpart 1004.74 -- Procurement Automation

- 1004.7401 Policy.
- 1004.7402 Departmental review of automated acquisition systems and applications.

Subpart 1004.1 -- Contract Execution

1004.101 Contracting officer's signature.

- (d) No employee may sign a contract document "for" a CO; such documents may be signed only by the CO whose name appears thereon.

1004.103 Contract clause.

CO's shall insert the clause at FAR 52.204-1 in each solicitation where approval is required above the CO level.

Subpart 1004.4 -- Safeguarding Classified Information within Industry

1004.402 General.

- (b) The Treasury is a participant in the National Industrial Security Program. The Director, Office of Security, is delegated authority and responsibility for this function in accordance with TD P 71-10, "Office of Security Manual."

1004.403 Responsibilities of contracting officers.

- (a) Presolicitation phase.
- (2) The instructions provided in Chapter IV of TD P 71-10 shall apply.
- (b) Solicitation phase.
- (1) The instructions provided in Chapter IV of TD P 71-10 shall apply.
- (c) Award phase.

(DTAR Change 98-11,4/19/00)

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including solicitation or contract number and required classified guidance, is forwarded to the Office of Security prior to release of classified information.

1004.470 Investigative Requirements for Contractors

1004.470.1 General.

Contract employees not requiring access to classified information shall meet the investigative requirements of Chapter II, Section 2 of TD P 71-10.

1004.470.2 Responsibilities of contracting officers.

(a) Presolicitation phase.

(1) For contractors not requiring access to classified information, the instructions provided in Chapter II, Section 2 of TD P 71-10 shall apply.

(b) Solicitation phase.

(1) For contractors not requiring access to classified information, the instructions in Chapter II, Section 2 of TD P 71-10 shall apply.

Subpart 1004.6 -- Contract Reporting

1004.602 Federal Procurement Data System (FPDS).

(c) MMK oversees the Treasury Acquisition Data System (TADS), which provides the Department's input to the FPDS.

1004.670 TADS and other reports.

(a) Bureaus shall report procurement data in accordance with instructions provided in the most current versions of the Federal Procurement Data System (FPDS) Reporting Manual, the Treasury Acquisition Data System (TADS) User Manual.

(b) BCPO's are responsible for maintaining overall quality of their data in the TADS and notifying MMK of any discrepancies between data

in the TADS and other information available.

(c) Bureaus shall designate a data coordinator and notify MMK in writing of the designation. Bureau coordinators shall be responsible, at minimum, for the following: training of bureau personnel in preparation of Individual Contract Action Reports (ICARs) and proper completion of manual or automated registers for collection of simplified acquisition data; and, collection of contract and purchasing data in accordance with reporting requirements as noted in 1004.670(a).

(d) A copy of the ICAR, or computer generated copy of the record accepted into the TADS, for each action shall be retained in the contract file.

(e) Procurement data shall be entered into the TADS within 15 days after contract award date.

(f) MMK is the single point of contact within Treasury for reporting Department-wide procurement data to external organizations.

1004.671 Procurement Register Form TD F 76-01.7.

This form, a bureau approved form, or an automated version will be used by all procurement offices to track Treasury procurements.

Subpart 1004.8 -- Government Contract Files

1004.805 Storage, handling, and disposal of contract files.

(a) Contract and order files shall be disposed of in accordance with TD 25-02, "Records Disposition Management Program and Removal of Papers" (April 7, 1992), as supplemented by bureau directives; however, in no case shall files be destroyed before the times specified in FAR 4.805.

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Subpart 1004.70 -- Numbering of Solicitations, Contracts, and Orders

1004.7000 Prefixes.

In order to establish a uniform numbering system, the following prefixes are assigned:

Bureau	Solicitation	Contract	Delivery Order/ Purchase Order
Departmental Offices	A-	Tos-	DO-
Bureau of Alcohol, Tobacco and Firearms	BATF-	Tatf-	AT-
Comptroller of the Currency	CC-	Tcc-	CC-
U.S. Customs Service	CS-	Tc-	CS-
Bureau of Engraving and Printing	BEP-	Tep-	EP-
Federal Law Enforcement Training Center	FTC-	Tftc-	FT-
Financial Management Service	FMS-	Tfms-	FM-
Internal Revenue Service	IRS-	Tir-	IR-
Office of Thrift Supervision	OTS-	Totc-	TS-
United States Mint	USM-	Tm-	MT-
Bureau of the Public Debt	BPD-	Tpd-	PD-
U.S. Savings Bonds Division	USM-	Tm-	MT-
U.S. Secret Service	USSS-	Tss-	SS-

1004.7001 Numbering.

Following the prefix, insert the last two digits of the fiscal year in which the solicitation is issued or contract awarded, preceded and followed by hyphens and followed by sequential numbering each year (e.g., solicitation USM-97-1). Bureaus having field contracting offices shall assign alphabetic or numeric designations after the bureau prefix and the fiscal year (e.g., contract CS-97-I-00123). If needed, special characters should be added to the right of the purchase

order/delivery order (e.g., CS-97-I-00123-1-XXX). Hyphens and special characters are not required when entering the above numbers into automated procurement tracking and reporting systems. A separate series of numbers shall be used for solicitations and contracts.

Subpart 1004.71 -- Legal Review

1004.7100 Threshold.

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Legal review is required for solicitations (including letter RFPs), contracts (including letter contracts), contract modifications, basic ordering agreements or orders issued thereunder where the acquisition value, including options for additional quantities or extended terms, is estimated at \$10,000,000 or more, or when source selection procedures are employed for acquisition actions over \$5,000,000. All interagency agreements in excess of \$10,000,000, whereby one party agrees to provide contracting support for another, shall be reviewed by legal counsel.

1004.7101 Timeframes for review.

A copy of each acquisition document that is estimated to exceed the thresholds in 1004.7100 shall be forwarded to legal counsel at least ten work days prior to its release, to the extent feasible. Legal counsel will conduct the review within this time period, or if unable to do so, negotiate an alternative review schedule or process with the BCPO. In urgent situations, solicitations may be forwarded for review concurrent with release to industry, provided that the BCPO has given adequate notice to legal counsel.

1004.7102 Threshold exceptions.

The following do not require legal review: Modifications that solely extend the term of the contract, or for administrative actions, such as funding modifications and option exercise, where legal review was previously obtained. Change orders may be issued without prior legal review, if determined in writing by the CO that they are urgent and require immediate award. Such change orders shall be submitted for legal review as soon as possible after issuance. Legal assistance should be obtained whenever the CO considers the action unusual or difficult.

1004.7103 Documentation.

The following minimal documentation, as applicable, may accompany the contract document in lieu of the complete contract file when submitted for legal review.

- o Requisition and Government estimate

- o Acquisition Plan
- o Justification for Other Than Full and Open Competition
- o Requirements Statement
- o Source Selection Plan
- o Evaluation Criteria
- o Commerce Business Daily synopsis (copy of published notice) or waiver
- o Legal review and/or bureau procurement review and response
- o DD Form 254, Contract Security Classification Specification
- o Delegation of Procurement Authority
- o Cost or price analysis
- o Audit report
- o Technical and cost evaluation
- o Memorandum of prenegotiation objectives
- o Price negotiation memorandum
- o SF 279
- o Contractor representations and certifications
- o Other relevant documentation

1004.7104 Legal review comments.

The documentation of legal comments received or a statement from legal counsel that the procurement document has been reviewed and found to be legally sufficient shall be placed in the contract file. The CO is responsible for assuring that all legal comments are responded to in the contract file.

Subpart 1004.72 -- Staff Review

**PART 1036 - CONSTRUCTION AND
ARCHITECT-ENGINEER
CONTRACTS**

**Subpart 1036.2 – Special Aspects of Contracting for
Construction**

- 1036.201 Evaluation of contractor performance.
- 1036.209 Construction contracts with architect-engineer firms.

Subpart 1036.6 – Architect-Engineer Services

- 1036.602 Selection of firms for architect-engineer contracts.
- 1036.602-1 Selection criteria.
- 1036.602-2 Evaluation boards.
- 1036.602-3 Evaluation board functions.
- 1036.602-4 Selection authority.
- 1036.602-5 Short selection process for contracts not to exceed the simplified acquisition threshold.
- 1036.603 Collecting data on and appraising firms' qualifications.
- 1036.604 Performance evaluation.
- 1036.605 Government cost estimate for architect-engineer work.

**Subpart 1036.2 -- Special Aspects of
Contracting for Construction**

- 1036.201 Evaluation of contractor performance.

(a)(2) Performance reports will also be prepared and entered into the Contractor Performance System (CPS) on an annual basis for contracts exceeding one year.

(c)(1) CO's shall determine the appropriate distribution of the reports.

(c)(2) CO's are encouraged to contact other bureaus for performance reports.

- 1036.209 Construction contracts with architect-engineer firms.

BCPO's shall submit requests to the SPE for

approval, and include the reason(s) why award to the design firm is required; an analysis of the facts involving potential or actual organizational conflicts of interest including benefits and detriments to the Government and prospective contractor; and measures to be taken to avoid, neutralize, or mitigate conflicts of interest.

**Subpart 1036.6 -- Architect-Engineer
Services**

- 1036.602 Selection of firms for architect-engineer contracts.

- 1036.602-1 Selection criteria.

(b) BCPO's may approve the use of design competition.

- 1036.602-2 Evaluation boards.

(a) BCPO's are authorized to establish evaluation boards. Private practitioners of architecture, engineering, or related professions may be appointed as deemed necessary by the BCPO.

- 1036.602-3 Evaluation board functions.

(d) The selection report shall be prepared for the BCPO.

- 1036.602-4 Selection authority.

(a) BCPO's shall serve as the designated selection authority.

- 1036.602-5 Short selection process for contracts not to exceed the simplified acquisition threshold.

Bureaus are authorized to use either process.

- 1036.603 Collecting data on and appraising firms' qualifications.

(a) BCPO's shall establish appropriate procedures. The procedures shall include a list of names, addresses, and phone numbers of offices or

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boards assigned to maintain architect-engineer qualification data files.

1036.604 Performance evaluation.

(c) Performance reports shall be distributed to bureau distribution points.

1036.605 Government cost estimate for architect-engineer work.

(b) CO's may release Government estimates on an as-needed basis.

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**PART 1042 - CONTRACT
ADMINISTRATION AND AUDIT
SERVICES**

1042.000 Scope of part.
1042.002 Interagency Agreements

**Subpart 1042.1 -- Interagency Contract
Administration and Audit Services**

1042.101 Policy.

Subpart 1042.7 -- Indirect Cost Rates

1042.703 General.
1042.703-2 Certificate of indirect costs.

**Subpart 1042.15 -- Contractor Performance
Information**

1042.1502 Policy.

1042.000 Scope of part.

The "Contracting Officer's Technical Representative's (COTR) Handbook," TD P 76-01.D, (September, 1997) provides the duties and responsibilities of the CO and COTR.

1042.002 Interagency agreements

(a) Cross-servicing arrangements established to acquire field contract administration must be coordinated in advance with the SPE, to determine whether there should be a Department-wide arrangement.

**Subpart 1042.1 -- Contract Audit
Services**

1042.101 Assignment of contract audit services.

(a) Requests for audit services shall be in accordance with TD 76-06, "Request for Contract Audit Services," (October 5, 1992).

Subpart 1042.7 -- Indirect Cost Rates

1042.703 General.

1042.703-2 Certificate of indirect costs.

(b) BCPO's may waive certification requirements.

**Subpart 1042.15 -- Contractor
Performance Information**

1042.1502 Policy.

(a) Bureaus shall use the Contractor Performance System (CPS), for evaluating contractor performance, in accordance with FAR 42.1502 and 1503.

APPENDIX A

Reporting Requirements

REPORT NAME	DUE	COMMENTS
SF 279, "Individual Contract Action Report (ICAR)"	January 15th April 15th July 15th October 31st All data must be entered by the 15th day after the end of each quarter.	Input on-line to TADS, or via batch input to TADS. See most current FPDS Reporting Manual, TADS User Manual.
SF 281, "FPDS Summary Contract Action Report (\$25,000 or Less)"	January 15th April 15th July 15th October 31st	Input on-line to TADS. See most current FPDS Reporting Manual, TADS User Manual.
SF 295, "FPDS Summary Subcontract Report	March 15 th (Include only reports for previous fiscal year)	Input on-line to TADS. See most current FPDS Reporting Manual, TADS User Manual.
Contractor Performance System (CPS)	December 31 (annual/interim reports) 30 days after contract completion	Input on-line to CPS
CICA	Annual report due to SPE January 31st.	See Treasury Handbook TD P 76.01F. Report must be signed by Bureau Competition Advocate.
Davis Bacon	April 15th (for the period 10/1 - 3/31) October 15th (for the period 4/1 - 9/30)	Due to MMK. See Treasury Handbook TD P 76-01.H and PIM 97-02.
Metrics	December	Dept. of Treasury will request from bureaus, if required.
Protests	Reports to MMK are no longer required. When data is needed, bureaus will be contacted.	Reporting requirement deleted with PIM 94-22.
RCRA	December/January	Dept. of Treasury will request from bureaus, if required.
Value Engineering	November 15th	See DTAR 1048.70.

